

Fill in this information to identify your case and this filing:

Debtor 1	James	Earl	Banks
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	Marilyn	Lorraine	Banks
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS			
Case number (if known)	17-50317		

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In**1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?**

- ☐ No. Go to Part 2.
☒ Yes. Where is the property?

1.1.

1090 CR 768

Street address, if available, or other description

Devine TX 78016
City State ZIP Code

Medina
County

homestead at 1090 CR 768 Devine TX 78106
est. 0.50 acres

What is the property?

Check all that apply.

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Who has an interest in the property?

Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another _____

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$36,260.00	\$36,260.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.

fee simple

☒ Check if this is community property (see instructions)

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317

1.2.
1721 HWY 173 N
 Street address, if available, or other description

DEVINE TX 78016
 City State ZIP Code

Medina
 County

Debtor's business real property
Legal description: A0569 - C. Kemp
Survey 7, ACRES 0.635, (INCLUDES .02
AC IN
SAT BLK 34 LOT 1)

(Lienholder: Community Nat'l Bank)

Co-Debtor operates Charlie's Ice
House from this location.

What is the property?
 Check all that apply.

☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☒ Other Business

Who has an interest in the property?
 Check one.

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local
property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$117,930.00	\$117,930.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.
fee simple subject to mor

☒ Check if this is community property (see instructions)

1.3.
Lots 24 & 25
 Street address, if available, or other description

Hanover (Sattler Village)

New Braunfels TX 78132
 City State ZIP Code

Comal
 County

Lots 24 & 25 Sattler Village

What is the property?
 Check all that apply.

☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☒ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Who has an interest in the property?
 Check one.

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local
property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$18,170.00	\$18,170.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.
fee simple

☒ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here..... ➔ **\$172,360.00**

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☐ No
☒ Yes

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

3.1. Who has an interest in the property?
 Make: Chevrolet Check one.
 Model: Silverado 2500 pickup ☐ Debtor 1 only
 Year: 2002 ☐ Debtor 2 only
 Approximate mileage: 180,000 ☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
 Other information: **2002 Chevrolet Silverado 2500 pickup (approx. 180000 miles)** ☒ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$4,337.50</u>	<u>\$4,337.50</u>

Lienholder: Navy Federal FCU

3.2. Who has an interest in the property?
 Make: Buick Check one.
 Model: Lasabre ☐ Debtor 1 only
 Year: 1996 ☐ Debtor 2 only
 Approximate mileage: 106,000 ☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
 Other information: **1996 Buick Lasabre (approx. 106000 miles)** ☒ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$1,600.00</u>	<u>\$1,600.00</u>

Lienholder: Navy FCU

3.3. Who has an interest in the property?
 Make: Chevrolet Check one.
 Model: 3/4 ton pickup ☐ Debtor 1 only
 Year: 2003 ☐ Debtor 2 only
 Approximate mileage: 148,000 ☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
 Other information: **2003 Chevrolet 3/4 ton pickup (approx. 148000 miles)** ☒ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$2,650.00</u>	<u>\$2,650.00</u>

Used in Debtor's dba Jebco AC & Heating

3.4. Who has an interest in the property?
 Make: Honda Check one.
 Model: Goldwing motorcycle ☐ Debtor 1 only
 Year: 2005 ☐ Debtor 2 only
 Approximate mileage: 36,000 ☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
 Other information: **2005 Honda Goldwing motorcycle (approx. 36000 miles)** ☒ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$4,000.00</u>	<u>\$4,000.00</u>

3.5. Who has an interest in the property?
 Make: Suzuki Check one.
 Model: C-90 motorcycle ☐ Debtor 1 only
 Year: 2006 ☐ Debtor 2 only
 Approximate mileage: 12,000 ☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
 Other information: **2006 Suzuki C-90 motorcycle (approx. 12000 miles)** ☒ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$2,500.00</u>	<u>\$2,500.00</u>

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

3.6. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: GMC Check one.
 Model: Sierra pickup
 Year: 2008
 Approximate mileage: _____
 Other information: 2008 GMC Sierra pickup

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☒ Check if this is community property (see instructions)

Current value of the entire property? \$13,700.00
 Current value of the portion you own? \$0.00

(Co-Debtor co-signed with Debtor's son who has possession of vehicle and makes payments on the note.

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories
- ☐ No
☒ Yes

4.1. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: WW Check one.
 Model: 6' X 12' trailer
 Year: 2001
 Other information: 2001 WW 6' X 12' trailer

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☒ Check if this is community property (see instructions)

Current value of the entire property? \$600.00
 Current value of the portion you own? \$600.00

Used in Debtor's dba Jebco AC & Heating

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....

→ **\$15,687.50**

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

6. **Household goods and furnishings**
Examples: Major appliances, furniture, linens, china, kitchenware

☐ No
☒ Yes. Describe..... **household goods & furnishings**

\$2,500.00

7. **Electronics**
Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No
☒ Yes. Describe..... **2 TVs; computer w/ printer cell phones; small radio**

\$500.00

8. **Collectibles of value**
Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No
☐ Yes. Describe.....

9. **Equipment for sports and hobbies**
Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No
☒ Yes. Describe..... **fishing rods & reels; tackle box**

\$50.00

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317****10. Firearms***Examples:* Pistols, rifles, shotguns, ammunition, and related equipment☐ No☒ Yes. Describe..... **1 pistol .357**\$500.00**1 rifle****11. Clothes***Examples:* Everyday clothes, furs, leather coats, designer wear, shoes, accessories☐ No☒ Yes. Describe..... **wearing apparel**\$500.00**12. Jewelry***Examples:* Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver☐ No☒ Yes. Describe..... **jewelry**\$4,000.00**13. Non-farm animals***Examples:* Dogs, cats, birds, horses☐ No☒ Yes. Describe..... **2 dogs; 4 cats (household pets)**\$100.00**14. Any other personal and household items you did not already list, including any health aids you did not list**☒ No☐ Yes. Give specific information.....**15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write the number here.....****\$8,150.00****Part 4: Describe Your Financial Assets**

Do you own or have any legal or equitable interest in any of the following?

Current value of the
portion you own?
Do not deduct secured
claims or exemptions.

16. Cash*Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition☒ No☐ Yes..... Cash:**17. Deposits of money***Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.☐ No☒ Yes.....

Institution name:

17.1. Checking account: **Lytle State Bank -Checking account ending 8770
dba Jebco AC and Heating**

\$3,126.22

17.2. Checking account: **Security Bank -Checking account ending 265
dba Charles' Icehouse**

\$95.51

17.3. Checking account: **Community National Bank -Checking account ending 8665**

(only Co-Debtor's oil royalty check received monthly is
deposited into this account)

\$109.24

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

17.4. Savings account: **Lytle State Bank -Savings account Xs military retirement is only funds deposited into this account from DFAS (\$1,100 per month is allotted to this account direct deposit)** **\$18,000.00**

18. Bonds, mutual funds, or publicly traded stocks*Examples:* Bond funds, investment accounts with brokerage firms, money market accounts

- ☒ No
☐ Yes..... Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

- ☒ No
☐ Yes. Give specific information about them..... Name of entity: % of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments*Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.

- ☒ No
☐ Yes. Give specific information about them..... Issuer name:

21. Retirement or pension accounts*Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

- ☐ No
☒ Yes. List each account separately. Type of account: Institution name:
 Pension plan: **military retirement DFAS difficult to determine value due to Debtor receives monthly allotment for remainder of this life**

Currently received \$ 1552 ^{gross} per month **\$0.00**

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company
Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

- ☒ No
☐ Yes..... Institution name or individual:

23. Annuities (A contract for a specific periodic payment of money to you, either for life or for a number of years)

- ☒ No
☐ Yes..... Issuer name and description:

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

- ☒ No
☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c)

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

- ☒ No
☐ Yes. Give specific information about them

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property;*Examples:* Internet domain names, websites, proceeds from royalties and licensing agreements

- ☒ No
☐ Yes. Give specific information about them

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317**27. Licenses, franchises, and other general intangibles***Examples:* Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses☐ No☒ Yes. Give specific information about them **See continuation page(s).**\$2.00**Money or property owed to you?**

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

28. Tax refunds owed to you☒ No☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....Federal: \$0.00State: \$0.00Local: \$0.00**29. Family support***Examples:* Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement☒ No☐ Yes. Give specific informationAlimony: \$0.00Maintenance: \$0.00Support: \$0.00Divorce settlement: \$0.00Property settlement: \$0.00**30. Other amounts someone owes you***Examples:* Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else☒ No☐ Yes. Give specific information**31. Interests in insurance policies***Examples:* Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance☐ No☒ Yes. Name the insurance company of each policy and list its value.....

Company name:

Beneficiary:

Surrender or refund value:

term life insurance policiesspouses/children\$1.00**32. Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died

☒ No☐ Yes. Give specific information**33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment***Examples:* Accidents, employment disputes, insurance claims, or rights to sue☒ No☐ Yes. Describe each claim.....**34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**☒ No☐ Yes. Describe each claim.....

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317

35. Any financial assets you did not already list

- ☒ No
☐ Yes. Give specific information

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here..... ➔

\$21,333.97**Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.**

37. Do you own or have any legal or equitable interest in any business-related property?

- ☐ No. Go to Part 6.
☒ Yes. Go to line 38.

Current value of the
 portion you own?
 Do not deduct secured
 claims or exemptions.

38. Accounts receivable or commissions you already earned

- ☒ No
☐ Yes. Describe..

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

- ☒ No
☐ Yes. Describe..

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade

- ☐ No
☒ Yes. Describe.. See continuation page(s).

\$10,000.00

41. Inventory

- ☐ No
☒ Yes. Describe.. beer/ wine coolers Charlie's Ice House

\$4,000.00

42. Interests in partnerships or joint ventures

- ☒ No
☐ Yes. Describe..... Name of entity: _____ % of ownership: _____

43. Customer lists, mailing lists, or other compilations

- ☒ No
☐ Yes. Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?
☐ No
☐ Yes. Describe.....

44. Any business-related property you did not already list

- ☒ No
☐ Yes. Give specific information.

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here..... ➔

\$14,000.00

Debtor 1 James Earl Banks
 Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
 If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Current value of the
 portion you own?
 Do not deduct secured
 claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

- ☒ No
☐ Yes....

48. Crops—either growing or harvested

- ☒ No
☐ Yes. Give specific
 information.....

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

- ☒ No
☐ Yes....

50. Farm and fishing supplies, chemicals, and feed

- ☒ No
☐ Yes....

51. Any farm- and commercial fishing-related property you did not already list

- ☒ No
☐ Yes. Give specific
 information.....

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here..... →

\$0.00

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☐ No
☒ Yes. Give specific information.

.00540000 royalty interest in Fisher County TX

(Debtor recently inherited her percentage of oil royalty from her grandfather and began receiving small oil royalty checks each month during 2016)

Debtor is using value that she was recently offered to purchase her interest.

\$5,800.00

54. Add the dollar value of all of your entries from Part 7. Write that number here..... →

\$5,800.00

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2.....	→	\$172,360.00
56. Part 2: Total vehicles, line 5	\$15,687.50	
57. Part 3: Total personal and household items, line 15	\$8,150.00	
58. Part 4: Total financial assets, line 36	\$21,333.97	
59. Part 5: Total business-related property, line 45	\$14,000.00	
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00	
61. Part 7: Total other property not listed, line 54	+ \$5,800.00	
62. Total personal property. Add lines 56 through 61.....	\$64,971.47	Copy personal property total → + \$64,971.47
63. Total of all property on Schedule A/B. Add line 55 + line 62.....		\$237,331.47

Debtor 1 James Earl Banks

Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

27. Licenses, franchises, and other general intangibles (details):

air conditioning & refrigeration license \$1.00

liquor license for Charlie's Ice House \$1.00

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade (details):

est. value of assets of Charlie's Ice House (i.e. tables & chairs; cash registrar; ice machine; 3 TVs w/ VCR; Bose speakers; BBQ pit, dartboards w/ darts; etc. \$5,000.00

value of assets used in dba Jebco AC & Heating (i.e. guages; meters; vacuum pumps; hand tools; air compressor; nail gun, ladders; etc.) \$5,000.00

Fill in this information to identify your case:

Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

04/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions--such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds--may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? *Check one only, even if your spouse is filing with you.*

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <i>Copy the value from Schedule A/B</i>	Amount of the exemption you claim <i>Check only one box for each exemption</i>	Specific laws that allow exemption
Brief description: homestead at 1090 CR 768 Devine TX 78106 est. 0.50 acres Line from <i>Schedule A/B</i> : <u>1.1</u>	<u>\$36,260.00</u>	<input checked="" type="checkbox"/> <u>\$34,760.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Const. art. 16 §§ 50, 51, Texas Prop. Code §§ 41.001-.002
Brief description: 2002 Chevrolet Silverado 2500 pickup (approx. 180000 miles) Lienholder: Navy Federal FCU Line from <i>Schedule A/B</i> : <u>3.1</u>	<u>\$4,337.50</u>	<input checked="" type="checkbox"/> <u>\$917.50</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(9)

3. Are you claiming a homestead exemption of more than \$160,375?

(Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☒ No
☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
☐ No
☐ Yes

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317**Part 2: Additional Page**

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim Check only one box for each exemption	Specific laws that allow exemption
Brief description: 1996 Buick Lasabre (approx. 106000 miles) Lienholder: Navy FCU Line from Schedule A/B: <u>3.2</u>	<u>\$1,600.00</u>	<input checked="" type="checkbox"/> <u>\$0.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(9)
Brief description: 2003 Chevrolet 3/4 ton pickup (approx. 148000 miles) Used in Debtor's dba Jebco AC & Heating Line from Schedule A/B: <u>3.3</u>	<u>\$2,650.00</u>	<input checked="" type="checkbox"/> <u>\$2,650.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)
Brief description: 2001 WW 6' X 12' trailer Used in Debtor's dba Jebco AC & Heating Line from Schedule A/B: <u>4.1</u>	<u>\$600.00</u>	<input checked="" type="checkbox"/> <u>\$600.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)
Brief description: household goods & furnishings Line from Schedule A/B: <u>6</u>	<u>\$2,500.00</u>	<input checked="" type="checkbox"/> <u>\$2,500.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(1)
Brief description: 2 TVs; computer w/ printer cell phones; small radio Line from Schedule A/B: <u>7</u>	<u>\$500.00</u>	<input checked="" type="checkbox"/> <u>\$500.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(1)
Brief description: fishing rods & reels; tackle box Line from Schedule A/B: <u>9</u>	<u>\$50.00</u>	<input checked="" type="checkbox"/> <u>\$50.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(8)
Brief description: 1 pistol .357 1 rifle Line from Schedule A/B: <u>10</u>	<u>\$500.00</u>	<input checked="" type="checkbox"/> <u>\$500.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(7)
Brief description: wearing apparel Line from Schedule A/B: <u>11</u>	<u>\$500.00</u>	<input checked="" type="checkbox"/> <u>\$500.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(5)

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 2: Additional Page

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim Check only one box for each exemption	Specific laws that allow exemption
Brief description: jewelry Line from Schedule A/B: <u>12</u>	<u>\$4,000.00</u>	<input checked="" type="checkbox"/> <u>\$4,000.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(6)
Brief description: 2 dogs; 4 cats (household pets) Line from Schedule A/B: <u>13</u>	<u>\$100.00</u>	<input checked="" type="checkbox"/> <u>\$100.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(11)
Brief description: Lytle State Bank -Savings account Xs military retirement is only funds deposited into this account from DFAS (\$1,100 per month is allotted to this account direct deposit) Line from Schedule A/B: <u>17.3</u>	<u>\$18,000.00</u>	<input checked="" type="checkbox"/> <u>\$18,000.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code § 42.0021
Brief description: military retirement DFAS difficult to determine value due to Debtor receives monthly allotment for remainder of this life Currently received \$ <u> </u> per month Line from Schedule A/B: <u>21</u>	<u>\$0.00</u>	<input checked="" type="checkbox"/> <u>\$0.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code § 42.0021
Brief description: air conditioning & refrigeration license Line from Schedule A/B: <u>27</u>	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)
Brief description: liquor license for Charlie's Ice House Line from Schedule A/B: <u>27</u>	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)
Brief description: term life insurance policies Line from Schedule A/B: <u>31</u>	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Ins. Code §§ 1108.001, 1108.051
Brief description: est. value of assets of Charlie's Ice House (i.e. tables & chairs; cash registrar; ice machine; 3 TVs w/ VCR; Bose speakers; BBQ pit, dartboards w/ darts; etc. Line from Schedule A/B: <u>40</u>	<u>\$5,000.00</u>	<input checked="" type="checkbox"/> <u>\$4,295.07</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 2: Additional Page

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
	Copy the value from Schedule A/B	Check only one box for each exemption	
Brief description: value of assets used in dba Jebco AC & Heating (i.e. guages; meters; vacuum pumps; hand tools; air compressor; nail gun, ladders; etc.)	\$5,000.00	<input checked="" type="checkbox"/> \$5,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(4)
Line from Schedule A/B: 40			

Fill in this information to identify your case:

Debtor 1 James Earl Banks
First Name Middle Name Last Name

Debtor 2 Marilyn Lorraine Banks
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS

Case number 17-50317
(if known)

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

Column A
Amount of claim
 Do not deduct the value of collateral

Column B
Value of collateral that supports this claim

Column C
Unsecured portion If any

<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">2.1</div> <p>Comal Appraisal District <small>Creditor's name</small> 900 S. Seguin Avenue <small>Number Street</small></p> <hr/> <p>New Braunfels TX 78130 <small>City State ZIP Code</small></p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input checked="" type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input checked="" type="checkbox"/> Check if this claim relates to a community debt</p> <p>Date debt was incurred <u>2017</u></p>	<p>Describe the property that secures the claim:</p> <p>Sattler Village Lot 24 & 25</p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Nature of lien. Check all that apply.</p> <p><input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)</p> <p><input checked="" type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)</p> <p><input type="checkbox"/> Judgment lien from a lawsuit</p> <p><input checked="" type="checkbox"/> Other (including a right to offset) property taxes</p> <p>Last 4 digits of account number <u>4 3 0 0</u></p>	<p><u>\$340.31</u></p> <p><u>\$18,170.00</u></p>
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Add the dollar value of your entries in Column A on this page. Write that number here:

\$340.31

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 1:	Additional Page	Column A Amount of claim Do not deduct the value of collateral	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
	After listing any entries on this page, number them sequentially from the previous page.			

2.2	Describe the property that secures the claim:	\$63,481.00	\$117,930.00	
Community National Ban <small>Creditor's name</small> 1502 Avenue M <small>Number Street</small>		Debtor's business real property		
Hondo TX 78861 <small>City State ZIP Code</small>				
Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input checked="" type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input checked="" type="checkbox"/> Check if this claim relates to a community debt				
Date debt was incurred 08/2008				
Last 4 digits of account number 0 0 0 1				
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed				
Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset)				
Conventional Real Estate Mortgage				

2.3	Describe the property that secures the claim:	\$9,535.04	\$117,930.00	
Community National Ban <small>Creditor's name</small> 1502 Avenue M <small>Number Street</small>		Debtor's business real property		
Hondo TX 78861 <small>City State ZIP Code</small>				
Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input checked="" type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input checked="" type="checkbox"/> Check if this claim relates to a community debt				
Date debt was incurred Various				
Last 4 digits of account number 0 0 0 1				
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed				
Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset)				
Arrearage claim				

Add the dollar value of your entries in Column A on this page. Write that number here:

\$73,016.04

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 1:	Additional Page	Column A Amount of claim Do not deduct the value of collateral	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
	After listing any entries on this page, number them sequentially from the previous page.			

2.4	Describe the property that secures the claim:	\$1,500.00	\$36,260.00	
Medina County Tax Assessor Creditor's name Melissa Lutz, PCC Number Street 1102 15th Street				
Hondo TX 78861 City State ZIP Code				
Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input checked="" type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input checked="" type="checkbox"/> Check if this claim relates to a community debt				
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input checked="" type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset) property taxes				
Date debt was incurred 2017 Last 4 digits of account number 4 8 6 3				

2.5	Describe the property that secures the claim:	\$5,775.74	\$117,930.00	
Medina County Tax Assessor Creditor's name Melissa Lutz, PCC Number Street 1102 15th Street				
Hondo TX 78861 City State ZIP Code				
Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input checked="" type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input checked="" type="checkbox"/> Check if this claim relates to a community debt				
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input checked="" type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset) property taxes				
Date debt was incurred 2015-2016 Last 4 digits of account number 5 7 2 8				
est. property taxes for business property for 2015-2016 tax periods				

Add the dollar value of your entries in Column A on this page. Write that number here:

\$7,275.74

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 1:

Additional Page

After listing any entries on this page, number them sequentially from the previous page.

Column A
Amount of claim
Do not deduct the
value of collateral

Column B
Value of collateral
that supports this
claim

Column C
Unsecured
portion
If any

2.6

Describe the property that
secures the claim:

\$2,540.81

\$117,930.00

Medina County Tax Assessor

Creditor's name

Melissa Lutz, PCC

Number Street

1102 15th Street

Debtor's business real
property

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☒ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☒ Other (including a right to offset)
property taxes

Hondo TX 78861
City State ZIP Code

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☒ Check if this claim relates
to a community debt

Date debt was incurred 2017

Last 4 digits of account number 5 7 2 8

2.7

Describe the property that
secures the claim:

\$704.93

\$5,000.00

Medina County Tax Assessor

Creditor's name

Melissa Lutz, PCC

Number Street

1102 15th Street

assets of Charlie's Ice House
(i.e)

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☒ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☒ Other (including a right to offset)
property taxes

Hondo TX 78861
City State ZIP Code

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☒ Check if this claim relates
to a community debt

Date debt was incurred thru 2016

Last 4 digits of account number 9 1 9 3

property taxes owed thru year 2016

personal of business Charlie's Icehouse

Add the dollar value of your entries in Column A on this page. Write
that number here:

\$3,245.74

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 1:

Additional Page

After listing any entries on this page, number them sequentially from the previous page.

Column A
Amount of claim
Do not deduct the
value of collateral

Column B
Value of collateral
that supports this
claim

Column C
Unsecured
portion
If any

2.8	Describe the property that secures the claim:	\$5,318.00	\$1,600.00	\$3,718.00
Navy Federal Cr Union	1999 Buick La Sabre			
Creditor's name				
Po Box 3700				
Number Street				

Navy Federal Cr Union

Creditor's name

Po Box 3700

Number Street

Describe the property that secures the claim:

1999 Buick La Sabre

Merrifield VA 22119
City State ZIP Code

Who owes the debt? Check one.

☐ Debtor 1 only

☐ Debtor 2 only

☒ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☒ Check if this claim relates to a community debt

Date debt was incurred 08/2015

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☐ Other (including a right to offset)

Last 4 digits of account number 2 4 2 5

2.9	Describe the property that secures the claim:	\$3,420.00	\$4,337.50
Navy Federal Cr Union	2002 Chevrolet Silverado		
Creditor's name			
Po Box 3700			
Number Street			

Navy Federal Cr Union

Creditor's name

Po Box 3700

Number Street

Describe the property that secures the claim:

2002 Chevrolet Silverado

Merrifield VA 22119
City State ZIP Code

Who owes the debt? Check one.

☐ Debtor 1 only

☐ Debtor 2 only

☒ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☒ Check if this claim relates to a community debt

Date debt was incurred 09/2015

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset)

Secured

Last 4 digits of account number 0 4 2 5

Add the dollar value of your entries in Column A on this page. Write that number here:

\$8,738.00

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

Part 1: Additional Page		Column A	Column B	Column C
After listing any entries on this page, number them sequentially from the previous page.		Amount of claim Do not deduct the value of collateral	Value of collateral that supports this claim	Unsecured portion If any
2.10	Describe the property that secures the claim: Navy Federal Cr Union Creditor's name Po Box 3700 Number Street Merrifield VA 22119 City State ZIP Code Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input checked="" type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt	\$13,597.00	\$0.00	\$13,597.00
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset)				
Date debt was incurred 03/2015 Last 4 digits of account number 5 6 9 0				
Debtor co-signed w/ son who drives & pays for the vehicle				

Add the dollar value of your entries in Column A on this page. Write that number here:

\$13,597.00

If this is the last page of your form, add the dollar value totals from all pages. Write that number here:

\$106,212.83

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

1 Law Offices of Elizabeth G Smith On which line in Part 1 did you enter the creditor? 2.2
Name
6655 First Park Ten, Ste 240 Last 4 digits of account number 1 6 5 8
Number Street

San Antonio TX 78213
City State ZIP Code

2 Linebarger Goggan Blair On which line in Part 1 did you enter the creditor? 2.4
Name
& Sampson LLP Last 4 digits of account number _____
Number Street

San Antonio TX 78205
City State ZIP Code

3 Linebarger Goggan Blair On which line in Part 1 did you enter the creditor? 2.1
Name
& Sampson LLP Last 4 digits of account number _____
Number Street

San Antonio TX 78205
City State ZIP Code

Fill in this information to identify your case:

Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

☐ Check if this is an amended filing

Official Form 106E/F

Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Property* (Official Form 106A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G). Do not include any creditors with partially secured claims that are listed in *Schedule D: Creditors Who Hold Claims Secured by Property*. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. On the top of any additional pages, write your name and case number (if known).

Part 1: List All of Your PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims against you?

- ☐ No. Go to Part 2.
☒ Yes.

2. List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If more space is needed for priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

	Total claim	Priority amount	Nonpriority amount
2.1	<u>\$2,000.00</u>	<u>\$2,000.00</u>	<u>\$0.00</u>

Chance M. McGhee, Attorney at Law

Priority Creditor's Name

8207 Callaghan Rd. #250

Number Street

Last 4 digits of account number

When was the debt incurred? 02/06/2017

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

San Antonio

City

TX

State

78230

ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☒ Check if this claim is for a community debt
☐ Check if this claim is subject to offset?

- ☒ No
☐ Yes

Type of PRIORITY unsecured claim:

- ☐ Domestic support obligations
☐ Taxes and certain other debts you owe the government
☐ Claims for death or personal injury while you were intoxicated
☒ Other. Specify
Attorney fees for this case

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 2: List All of Your NONPRIORITY Unsecured Claims

3. Do any creditors have nonpriority unsecured claims against you?

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.
☒ Yes

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim.

If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If more space is needed for nonpriority unsecured claims, fill out the Continuation Page of Part 2.

Total claim

\$78.00

4.1

Account Services Colls

Nonpriority Creditor's Name
1802 Ne Loop 410 Ste 400
Number Street

Last 4 digits of account number 6 1 3 8

When was the debt incurred? 11/2010

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☒ Disputed

San Antonio TX 78217

City State ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☒ Check if this claim is for a community debt

Is the claim subject to offset?

- ☒ No
☐ Yes

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify
medical- Star Anesthesia

4.2

Navy Federal Cr Union

Nonpriority Creditor's Name
820 Follin Lane
Number Street

Last 4 digits of account number 5 2 8 8

When was the debt incurred? 12/1986

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Vienna VA 22180

City State ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☒ Check if this claim is for a community debt

Is the claim subject to offset?

- ☒ No
☐ Yes

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify
Credit Card

\$6,218.00

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 3: List Others to Be Notified About a Debt That You Already Listed

5. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional parties to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

AT&T Advertising L.P. c/o

Name
Kyle E. Neill, P.C.
Number Street
11550 IH 10, Suite 287

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
advertising ☐ Part 2: Creditors with Nonpriority Unsecured Claims

San Antonio TX 78230
City State ZIP Code

Last 4 digits of account number _____

Internal Revenue Service

Name
P.O. Box 7346
Number Street

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
Taxes ☐ Part 2: Creditors with Nonpriority Unsecured Claims

Philadelphia PA 19101-7346
City State ZIP Code

Last 4 digits of account number _____

Lease Financial Group

Name
233 N Michigan Ave Ste 1
Number Street

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
Lease credit card ☐ Part 2: Creditors with Nonpriority Unsecured Claims
machine

Chicago IL 60601
City State ZIP Code

Last 4 digits of account number 7 7 9 3

Standard Supply and Distributing

Name
1431 Regal Row
Number Street

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
vendor ☐ Part 2: Creditors with Nonpriority Unsecured Claims

Dallas TX 75247
City State ZIP Code

Last 4 digits of account number _____

Star Anesthesia, P.A.

Name
P.O. Box 659
Number Street

On which entry in Part 1 or Part 2 did you list the original creditor?

Line 4.1 of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☒ Part 2: Creditors with Nonpriority Unsecured Claims

San Antonio TX 78293-0659
City State ZIP Code

Last 4 digits of account number _____

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 3: List Others to Be Notified About a Debt That You Already Listed -- Continuation Page

Texas Comptroller of Public Accounts

Name

P.O. Box 13528, Capitol Station

Number Street

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims

Sales Taxes

☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number

Austin TX 78711
City State ZIP Code

United States Attorney

Name

Taxpayer Division

Number Street

601 N.W. Loop 410, Suite 600

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims

☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number

San Antonio TX 78216-5512
City State ZIP Code

United States Attorney General

Name

Department of Justice

Number Street

950 Pennsylvania Avenue, N.W.

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims

☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number

Washington DC 20530
City State ZIP Code

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 4: Add the Amounts for Each Type of Unsecured Claim

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. § 159. Add the amounts for each type of unsecured claim.

		Total claim
Total claims from Part 1	6a. Domestic support obligations	6a. \$0.00
	6b. Taxes and certain other debts you owe the government	6b. \$0.00
	6c. Claims for death or personal injury while you were intoxicated	6c. \$0.00
	6d. Other. Add all other priority unsecured claims. Write that amount here.	6d. + \$2,000.00
	6e. Total. Add lines 6a through 6d.	6d. \$2,000.00

		Total claim
Total claims from Part 2	6f. Student loans	6f. \$0.00
	6g. Obligations arising out of a separation agreement or divorce that you did not report as priority claims	6g. \$0.00
	6h. Debts to pension or profit-sharing plans, and other similar debts	6h. \$0.00
	6i. Other. Add all other nonpriority unsecured claims. Write that amount here.	6i. + \$6,296.00
	6j. Total. Add lines 6f through 6i.	6j. \$6,296.00

Fill in this information to identify your case:			
Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

☐ Check if this is an amended filing

Official Form 106G

Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

1. Do you have any executory contracts or unexpired leases?

- ☒ No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
☐ Yes. Fill in all of the information below even if the contracts or leases are listed on *Schedule A/B: Property* (Official Form 106A/B).

2. List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

Person or company with whom you have the contract or lease

State what the contract or lease is for

Fill in this information to identify your case:

Debtor 1 James Earl Banks
First Name Middle Name Last Name

Debtor 2 Marilyn Lorraine Banks
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS

Case number 17-50317
(if known)

☐ Check if this is an amended filing

Official Form 106H

Schedule H: Your Codebtors

12/15

Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.

1. Do you have any codebtors? (If you are filing a joint case, do not list either spouse as a codebtor.)

- ☐ No
☒ Yes

2. Within the last 8 years, have you lived in a community property state or territory? (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- ☐ No. Go to line 3.
☒ Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?
☐ No
☒ Yes

In which community state or territory did you live? Texas Fill in the name and current address of that person.

Marilyn Lorraine Banks

Name of your spouse, former spouse, or legal equivalent

1090 CR 768

Number Street

Devine

City

TX

State

78016

ZIP Code

3. In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.

Column 1: Your codebtor

Column 2: The creditor to whom you owe the debt

Check all schedules that apply:

3.1 Brandon L. Banks

Name

1090 CR 768

Number Street

Devine

City

TX

State

78016

ZIP Code

☒ Schedule D, line 2.10

☐ Schedule E/F, line _____

☐ Schedule G, line _____

Navy Federal Cr Union

Fill in this information to identify your case:

Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

Check if this is:

- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 106I

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. Fill in your employment information.

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

Employment status

Occupation

Employer's name

Employer's address

Debtor 1

- ☒ Employed
☐ Not employed

Self

Jebco AC & Heat

1090 CR 768
Number Street

Devine TX 78016
City State Zip Code

How long employed there? 21 years

Debtor 2 or non-filing spouse

- ☒ Employed
☐ Not employed

Self

Charlie's Ice House

1090 CR 768
Number Street

Devine TX 78016
City State Zip Code

9 years

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

For Debtor 1

For Debtor 2 or non-filing spouse

2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.

2. \$0.00

\$0.00

3. Estimate and list monthly overtime pay.

3. + \$0.00

\$0.00

4. Calculate gross income. Add line 2 + line 3.

4. \$0.00

\$0.00

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

For Debtor 1
For Debtor 2 or non-filing spouse

Copy line 4 here	→ 4.	<u>\$0.00</u>	<u>\$0.00</u>
5. List all payroll deductions:			
5a. Tax, Medicare, and Social Security deductions	5a.	<u>\$0.00</u>	<u>\$0.00</u>
5b. Mandatory contributions for retirement plans	5b.	<u>\$0.00</u>	<u>\$0.00</u>
5c. Voluntary contributions for retirement plans	5c.	<u>\$0.00</u>	<u>\$0.00</u>
5d. Required repayments of retirement fund loans	5d.	<u>\$0.00</u>	<u>\$0.00</u>
5e. Insurance	5e.	<u>\$0.00</u>	<u>\$0.00</u>
5f. Domestic support obligations	5f.	<u>\$0.00</u>	<u>\$0.00</u>
5g. Union dues	5g.	<u>\$0.00</u>	<u>\$0.00</u>
5h. Other deductions. Specify: _____	5h. +	<u>\$0.00</u>	<u>\$0.00</u>
6. Add the payroll deductions. Add lines 5a + 5b + 5c + 5d + 5e + 5f + 5g + 5h.	6.	<u>\$0.00</u>	<u>\$0.00</u>
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7.	<u>\$0.00</u>	<u>\$0.00</u>
8. List all other income regularly received:			
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a.	<u>\$2,949.00</u>	<u>\$153.00</u>
8b. Interest and dividends	8b.	<u>\$0.00</u>	<u>\$0.00</u>
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c.	<u>\$0.00</u>	<u>\$0.00</u>
8d. Unemployment compensation	8d.	<u>\$0.00</u>	<u>\$0.00</u>
8e. Social Security	8e.	<u>\$0.00</u>	<u>\$0.00</u>
8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) or any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____	8f.	<u>\$0.00</u>	<u>\$0.00</u>
8g. Pension or retirement income	8g.	<u>\$1,434.03</u>	<u>\$0.00</u>
8h. Other monthly income. Specify: _____	8h. +	<u>\$0.00</u>	<u>\$0.00</u>
9. Add all other income. Add lines 8a + 8b + 8c + 8d + 8e + 8f + 8g + 8h.	9.	<u>\$4,383.03</u>	<u>\$153.00</u>
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10.	<u>\$4,383.03</u>	<u>\$153.00</u>
11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____	11. +	<u>\$0.00</u>	
12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the Summary of Your Assets and Liabilities and Certain Statistical Information, if it applies.	12.	<u>\$4,536.03</u>	Combined monthly income
13. Do you expect an increase or decrease within the year after you file this form?			
<input type="checkbox"/> No.			
<input checked="" type="checkbox"/> Yes. Explain: <u>Joint Debtor has raised prices on beer/sodas to increase revenue at Charlie's Icehouse</u>			

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

8a. Attached Statement (Debtor 1)

JEBCO AC & Heating

Gross Monthly Income: \$10,000.00

<u>Expense</u>	<u>Category</u>	<u>Amount</u>
Cost of goods (parts purchased to repair/service)		\$6,000.00
vehicle ins		\$150.00
general liability insurance		\$51.00
supplies (paper, invoices, etc.)		\$120.00
tools, etc.		\$200.00
advertising		\$100.00
telephone		\$130.00
contract labor		\$300.00
Total Monthly Expenses		<u>\$7,051.00</u>
Net Monthly Income:		<u><u>\$2,949.00</u></u>

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

8a. Attached Statement (Debtor 2)

Charlie's Ice House

Gross Monthly Income: \$3,000.00

<u>Expense</u>	<u>Category</u>	<u>Amount</u>
Alarm/security		\$46.00
liability/ liquor insurance		\$120.00
beer/sodas		\$1,300.00
supplies		\$250.00
telephone		\$128.00
Community Natl Bank - mortgage/rent payment		\$1,003.00
Total Monthly Expenses		\$2,847.00
Net Monthly Income:		\$153.00

Fill in this information to identify your case:

Check if this is:

- ☐ An amended filing
☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Debtor 1 James Earl Banks
 First Name Middle Name Last Name

Debtor 2 Marilyn Lorraine Banks
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS

Case number 17-50317
 (if known)

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

- ☐ No. Go to line 2.
☒ Yes. Does Debtor 2 live in a separate household?
☒ No
☐ Yes. Debtor 2 must file Official Form 106J-2, Expenses for Separate Household of Debtor 2.

2. Do you have dependents?

☐ No

☒ Yes. Fill out this information for each dependent.....

Do not list Debtor 1 and Debtor 2.

Do not state the dependents' names.

Dependent's relationship to Debtor 1 or Debtor 2	Dependent's age	Does dependent live with you?
Son	20	<input checked="" type="checkbox"/> Yes
		<input type="checkbox"/> No
		<input type="checkbox"/> Yes
		<input type="checkbox"/> No
		<input type="checkbox"/> Yes
		<input type="checkbox"/> No
		<input type="checkbox"/> Yes
		<input type="checkbox"/> No
		<input type="checkbox"/> Yes

3. Do your expenses include expenses of people other than yourself and your dependents?

- ☒ No
☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental Schedule J, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on Schedule I: Your Income (Official Form 106I.)

Your expenses

4. The rental or home ownership expenses for your residence.
 Include first mortgage payments and any rent for the ground or lot.

4. _____

If not included in line 4:

4a. Real estate taxes	4a. <u>\$370.00</u>
4b. Property, homeowner's, or renter's insurance	4b. <u>\$242.00</u>
4c. Home maintenance, repair, and upkeep expenses	4c. <u>\$100.00</u>
4d. Homeowner's association or condominium dues	4d. _____

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

Your expenses

5. Additional mortgage payments for your residence, such as home equity loans	5.	_____
6. Utilities:		
6a. Electricity, heat, natural gas	6a.	<u>\$375.00</u>
6b. Water, sewer, garbage collection	6b.	<u>\$180.00</u>
6c. Telephone, cell phone, Internet, satellite, and cable services	6c.	<u>\$189.00</u>
6d. Other. Specify: <u>mobile phones</u>	6d.	<u>\$150.00</u>
7. Food and housekeeping supplies	7.	<u>\$700.00</u>
8. Childcare and children's education costs	8.	_____
9. Clothing, laundry, and dry cleaning	9.	<u>\$110.00</u>
10. Personal care products and services	10.	<u>\$40.00</u>
11. Medical and dental expenses	11.	<u>\$150.00</u>
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12.	<u>\$300.00</u>
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13.	<u>\$87.03</u>
14. Charitable contributions and religious donations	14.	<u>\$100.00</u>
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a.	<u>\$36.00</u>
15b. Health insurance	15b.	<u>\$545.00</u>
15c. Vehicle insurance	15c.	<u>\$172.00</u>
15d. Other insurance. Specify: _____	15d.	_____
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: _____	16.	_____
17. Installment or lease payments:		
17a. Car payments for Vehicle 1	17a.	_____
17b. Car payments for Vehicle 2	17b.	_____
17c. Other. Specify: _____	17c.	_____
17d. Other. Specify: _____	17d.	_____
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule I, Your Income (Official Form 106I).	18.	_____
19. Other payments you make to support others who do not live with you. Specify: _____	19.	_____

Debtor 1 **James Earl Banks**
 Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

20. Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your Income.

20a. Mortgages on other property	20a. _____
20b. Real estate taxes	20b. _____
20c. Property, homeowner's, or renter's insurance	20c. _____
20d. Maintenance, repair, and upkeep expenses	20d. _____
20e. Homeowner's association or condominium dues	20e. _____

21. Other. Specify: _____ 21. + _____

22. Calculate your monthly expenses.

22a. Add lines 4 through 21.	22a. <u>\$3,846.03</u>
22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2.	22b. _____
22c. Add line 22a and 22b. The result is your monthly expenses.	22c. <u>\$3,846.03</u>

23. Calculate your monthly net income.

23a. Copy line 12 (your combined monthly income) from Schedule I.	23a. <u>\$4,536.03</u>
23b. Copy your monthly expenses from line 22c above.	23b. <u>\$3,846.03</u>
23c. Subtract your monthly expenses from your monthly income. The result is your monthly net income.	23c. <u>\$690.00</u>

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☒ No.
☐ Yes.

Explain here:
None.

Fill in this information to identify your case:

Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

☐ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____

Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X

James Earl Banks
James Earl Banks, Debtor 1

Date 3/1/17
MM / DD / YYYY

X

Marilyn Lorraine Banks
Marilyn Lorraine Banks, Debtor 2

Date 03/01/2017
MM / DD / YYYY

Fill in this information to identify your case:

Debtor 1	<u>James</u>	<u>Earl</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	<u>Marilyn</u>	<u>Lorraine</u>	<u>Banks</u>
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>17-50317</u>		

☐ Check if this is an amended filing

Official Form 107

Statement of Financial Affairs for Individuals Filing for Bankruptcy

04/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Give Details About Your Marital Status and Where You Lived Before

1. What is your current marital status?
☒ Married
☐ Not married
2. During the last 3 years, have you lived anywhere other than where you live now?
☒ No
☐ Yes. List all of the places you lived in the last 3 years. Do not include where you live now.
3. Within the last 8 years, did you ever live with a spouse or legal equivalent in a community property state or territory?
(Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)
☐ No
☒ Yes. Make sure you fill out *Schedule H: Your Codebtors* (Official Form 106H).

Debtor 1	James Earl Banks
Debtor 2	Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 2: Explain the Sources of Your Income

4. Did you have any income from employment or from operating a business during this year or the two previous calendar years? Fill in the total amount of income you received from all jobs and all businesses, including part-time activities. If you are filing a joint case and you have income that you receive together, list it only once under Debtor 1.

☐ No

☒ Yes. Fill in the details.

	Debtor 1		Debtor 2	
	Sources of income Check all that apply.	Gross income (before deductions and exclusions)	Sources of income Check all that apply.	Gross income (before deductions and exclusions)
From January 1 of the current year until the date you filed for bankruptcy:	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$2,800.00</u>	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$2,300.00</u>
For the last calendar year: (January 1 to December 31, <u>2016</u>) YYYY	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$121,226.00</u>	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$28,939.00</u>
For the calendar year before that: (January 1 to December 31, <u>2015</u>) YYYY	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$111,042.00</u>	<input type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<u>\$28,337.00</u>

5. **Did you receive any other income during this year or the two previous calendar years?**
Include income regardless of whether that income is taxable. Examples of other income are alimony; child support; Social Security; unemployment; and other public benefit payments; pensions; rental income; interest; dividends; money collected from lawsuits; royalties; and gambling and lottery winnings. If you are in a joint case and you have income that you received together, list it only once under Debtor 1.

List each source and the gross income from each source separately. Do not include income that you listed in line 4.

☐ No

☒ Yes. Fill in the details.

	Debtor 1		Debtor 2	
	Sources of income Describe below.	Gross income from each source (before deductions and exclusions)	Sources of income Describe below.	Gross income from each source (before deductions and exclusions)
From January 1 of the current year until the date you filed for bankruptcy:	DFAS retirement	\$1,552.00	gross oil royalty	\$117.40
For the last calendar year: (January 1 to December 31, <u>2016</u>) YYYY	DFAS retirement	\$18,361.00	gross oil royalty	\$1,558.39
For the calendar year before that: (January 1 to December 31, <u>2015</u>) YYYY	DFAS retirement	\$18,361.00		

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 3: List Certain Payments You Made Before You Filed for Bankruptcy

6. Are either Debtor 1's or Debtor 2's debts primarily consumer debts?

- ☒ No. Neither Debtor 1 nor Debtor 2 has primarily consumer debts. *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$6,425* or more?

- ☒ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$6,425* or more in one or more payments and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

* Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.

- ☐ Yes. Debtor 1 or Debtor 2 or both have primarily consumer debts.

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$600 or more?

- ☐ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$600 or more and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

7. Within 1 year before you filed for bankruptcy, did you make a payment on a debt you owed anyone who was an insider?

Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20% or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Include payments for domestic support obligations such as child support and alimony.

- ☒ No

- ☐ Yes. List all payments to an insider.

8. Within 1 year before you filed for bankruptcy, did you make any payments or transfer any property on account of a debt that benefited an insider?

Include payments on debts guaranteed or cosigned by an insider.

- ☒ No

- ☐ Yes. List all payments that benefited an insider.

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317

Part 4: Identify Legal Actions, Repossessions, and Foreclosures

9. Within 1 year before you filed for bankruptcy, were you a party in any lawsuit, court action, or administrative proceeding? List all such matters, including personal injury cases, small claims actions, divorces, collection suits, paternity actions, support or custody modifications, and contract disputes.

- ☒ No
☐ Yes. Fill in the details.

10. Within 1 year before you filed for bankruptcy, was any of your property repossessed, foreclosed, garnished, attached, seized, or levied?

Check all that apply and fill in the details below.

- ☐ No. Go to line 11.
☒ Yes. Fill in the information below.

	Describe the property	Date	Value of the property
Community National Bank Creditor's Name	posted business property Charlie's Ice House for foreclosure which resulted in filing of Chapter 13 case		
Number Street	Explain what happened		
	<input type="checkbox"/> Property was repossessed.		
	<input type="checkbox"/> Property was foreclosed.		
	<input type="checkbox"/> Property was garnished.		
City State ZIP Code	<input type="checkbox"/> Property was attached, seized, or levied.		

11. Within 90 days before you filed for bankruptcy, did any creditor, including a bank or financial institution, set off any amounts from your accounts or refuse to make a payment because you owed a debt?

- ☒ No
☐ Yes. Fill in the details.

12. Within 1 year before you filed for bankruptcy, was any of your property in the possession of an assignee for the benefit of creditors, a court-appointed receiver, a custodian, or another official?

- ☒ No
☐ Yes

Part 5: List Certain Gifts and Contributions

13. Within 2 years before you filed for bankruptcy, did you give any gifts with a total value of more than \$600 per person?

- ☒ No
☐ Yes. Fill in the details for each gift.

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

14. Within 2 years before you filed for bankruptcy, did you give any gifts or contributions with a total value of more than \$600 to any charity?

- ☐ No
☒ Yes. Fill in the details for each gift or contribution.

Gifts or contributions to charities that total more than \$600	Describe what you contributed est. \$100 given on average month	Date you contributed	Value
Divine Baptist Church Charity's Name			
Number Street			
City State ZIP Code			

Part 6: List Certain Losses

15. Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, other disaster, or gambling?

- ☐ No
☒ Yes. Fill in the details.

Describe the property you lost and how the loss occurred	Describe any insurance coverage for the loss Include the amount that insurance has paid. List pending insurance claims on line 33 of <i>Schedule A/B: Property</i> .	Date of your loss	Value of property lost
2013 Dodge Ram pickup got on fire and was rendered a total loss (vehicle was driven and note was paid by Debtor's son)	Debtors filed insurance claim with GEICO and paid the vehicle lienholder... claim was resolved.	Feb. 2016	

Part 7: List Certain Payments or Transfers

16. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition?

Include any attorneys, bankruptcy petition preparers, or credit counseling agencies for services required for your bankruptcy.

- ☐ No
☒ Yes. Fill in the details.

Person Who Was Paid	Description and value of any property transferred	Date payment or transfer was made	Amount of payment
Chance M. McGhee, Attorney at Law 8207 Callaghan Rd. #250 Number Street	Attorney fees as described in the attached schedule 2016(b) \$310 Filing fee \$53 Credit bureau report	02/06/2017	\$2,500.00
San Antonio TX 78230 City State ZIP Code			
cmcghee@chancemcgheelaw.com Email or website address			
Person Who Made the Payment, if Not You			

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317

Person Who Was Paid	Description and value of any property transferred	Date payment or transfer was made	Amount of payment
Matt Obermeier Attorney	paid attorneys fees to handle TRO to stop foreclosure and to negotiate with Community National Bank to no avail regarding Debtor's business property	<u>Dec. 2016</u>	<u>\$3,500.00</u>
Number _____ Street _____			
City _____ State _____ ZIP Code _____			
Email or website address _____			

Person Who Made the Payment, if Not You	Description and value of any property transferred	Date payment or transfer was made	Amount of payment
Cricket Debt Counseling	debt counseling certificates		<u>\$44.00</u>
Number _____ Street _____			
City _____ State _____ ZIP Code _____			
Email or website address _____			

Person Who Made the Payment, if Not You

17. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?
Do not include any payment or transfer that you listed on line 16.

- ☒ No
☐ Yes. Fill in the details.

18. Within 2 years before you filed for bankruptcy, did you sell, trade, or otherwise transfer any property to anyone, other than property transferred in the ordinary course of your business or financial affairs?
Include both outright transfers and transfers made as security (such as granting of a security interest or mortgage on your property).
Do not include gifts and transfers that you have already listed on this statement.

- ☐ No
☒ Yes. Fill in the details.

Person Who Received Transfer	Description and value of any property transferred	Describe any property or payments received or debts paid in exchange	Date transfer was made
Raymond Sockwell	sold 1996 Chevrolet Tahoe for est. \$1,500		<u>August 2016</u>
Number _____ Street _____			
City _____ State _____ ZIP Code _____			
Person's relationship to you _____			

Debtor 1 James Earl Banks

Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

19. Within 10 years before you filed for bankruptcy, did you transfer any property to a self-settled trust or similar device of which you are a beneficiary? (These are often called asset-protection devices.)

☒ No
☐ Yes. Fill in the details.

Part 8: List Certain Financial Accounts, Instruments, Safe Deposit Boxes, and Storage Units

20. Within 1 year before you filed for bankruptcy, were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, pension funds, cooperatives, associations, and other financial institutions.

☒ No
☐ Yes. Fill in the details.

21. Do you now have, or did you have within 1 year before you filed for bankruptcy, any safe deposit box or other depository for securities, cash, or other valuables?

☒ No
☐ Yes. Fill in the details.

22. Have you stored property in a storage unit or place other than your home within 1 year before you filed for bankruptcy?

☒ No
☐ Yes. Fill in the details.

Part 9: Identify Property You Hold or Control for Someone Else

23. Do you hold or control any property that someone else owns? Include any property you borrowed from, are storing for, or hold in trust for someone.

☒ No
☐ Yes. Fill in the details.

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 10: Give Details About Environmental Information

For the purpose of Part 10, the following definitions apply:

- **Environmental law** means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substance, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- **Site** means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- **Hazardous material** means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar item.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

- ☒ No
☐ Yes. Fill in the details.

25. Have you notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Fill in the details.

26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☒ No
☐ Yes. Fill in the details.

Part 11: Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

- ☒ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time
- ☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)
- ☐ A partner in a partnership
- ☐ An officer, director, or managing executive of a corporation
- ☐ An owner of at least 5% of the voting or equity securities of a corporation

- ☐ No. None of the above applies. Go to Part 12.
☒ Yes. Check all that apply above and fill in the details below for each business.

Charlie's Ice House
Business Name

1721 Hwy 173 N
Number Street

Devine TX 78016
City State ZIP Code

Describe the nature of the business
bar

Name of accountant or bookkeeper

Employer Identification number
Do not include Social Security number or ITIN.

EIN: _____

Dates business existed

From 2008 To present

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) 17-50317

Jebco AC & Heating
Business Name

Describe the nature of the business
A/C & heating repair

Employer Identification number
Do not include Social Security number or ITIN.

EIN: _____

Dates business existed

From 1996 To present

Number Street

Name of accountant or bookkeeper

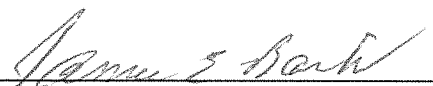
City State ZIP Code

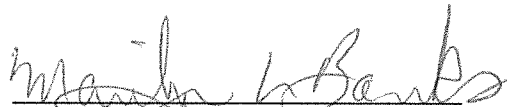
28. Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties.

- ☒ No
☐ Yes. Fill in the details below.

Part 12: Sign Below

I have read the answers on this *Statement of Financial Affairs* and any attachments, and I declare under penalty of perjury that answers are true and correct. I understand that making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

X 
James Earl Banks, Debtor 1
Date 3/1/17

X 
Marilyn-Lorraine Banks, Debtor 2
Date 3-1-17

Did you attach additional pages to *Your Statement of Financial Affairs for Individuals Filing for Bankruptcy* (Official Form 107)?

- ☒ No
☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out bankruptcy forms?

- ☒ No
☐ Yes. Name of person _____

Attach the *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

B2030 (Form 2030) (12/15)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re James Earl Banks
Marilyn Lorraine Banks

Case No. 17-50317

Chapter 13

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	<u>\$4,500.00</u>
Prior to the filing of this statement I have received.....	<u>\$2,500.00</u>
Balance Due.....	<u>\$2,000.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;

c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

B2030 (Form 2030) (12/15)

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

03/01/2017

Date

Chance M. McGhee

Chance M. McGhee, Attorney at Law

8207 Callaghan Rd. #250

San Antonio TX 78230

Phone: (210) 342-3400 / Fax: (210) 366-4791

Bar No. 00791226

James Earl Banks

Marilyn Lorraine Banks

Fill in this information to identify your case:				Check as directed in lines 17 and 21:	
Debtor 1	James <small>First Name</small>	Earl <small>Middle Name</small>	Banks <small>Last Name</small>	According to the calculations required by this Statement: <input checked="" type="checkbox"/> 1. Disposable income is not determined under 11 U.S.C. § 1325(b)(3). <input type="checkbox"/> 2. Disposable income is determined under 11 U.S.C. § 1325(b)(3). <input checked="" type="checkbox"/> 3. The commitment period is 3 years. <input type="checkbox"/> 4. The commitment period is 5 years.	
Debtor 2 (Spouse, if filing)	Marilyn <small>First Name</small>	Lorraine <small>Middle Name</small>	Banks <small>Last Name</small>		
United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS					
Case number (if known)	17-50317			<input type="checkbox"/> Check if this is an amended filing	

Official Form 122C-1

Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known).

Part 1: Calculate Your Average Monthly Income

1. What is your marital and filing status? Check one only.

- ☐ Not married. Fill out Column A, lines 2-11.
- ☒ Married. Fill out both Columns A and B, lines 2-11.

Fill in the average monthly income that you received from all sources, derived during the 6 full months before you file this bankruptcy case. 11 U.S.C. § 101(10A). For example, if you are filing on September 15, the 6-month period would be March 1 through August 31. If the amount of your monthly income varied during the 6 months, add the income for all 6 months and divide the total by 6. Fill in the result. Do not include any income amount more than once. For example, if both spouses own the same rental property, put the income from that property in one column only. If you have nothing to report for any line, write \$0 in the space.

	Column A Debtor 1	Column B Debtor 2 or non-filing spouse
2. Your gross wages, salary, tips, bonuses, overtime, and commissions (before all payroll deductions).	\$0.00	\$0.00
3. Alimony and maintenance payments. Do not include payments from a spouse.	\$0.00	\$0.00
4. All amounts from any source which are regularly paid for household expenses of you or your dependents, including child support. Include regular contributions from an unmarried partner, members of your household, your dependents, parents, and roommates. Do not include payments from a spouse. Do not include payments you listed on line 3.	\$0.00	\$0.00
5. Net income from operating a business, profession, or farm		
	Debtor 1	Debtor 2
Gross receipts (before all deductions)	\$10,102.00	\$2,411.58
Ordinary and necessary operating expenses	\$7,768.67	\$3,896.33
Net monthly income from a business, profession, or farm	\$2,333.33	(\$1,484.75)
	See continuation page(s) for details	
	Copy here →	\$2,333.33 (\$1,484.75)

Debtor 1 **James Earl Banks**
Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

15. Calculate your current monthly income for the year. Follow these steps:

15a. Copy line 14 here → **\$2,400.58**
Multiply line 15a by 12 (the number of months in a year). X 12
15b. The result is your current monthly income for the year for this part of the form. **\$28,806.96**

16. Calculate the median family income that applies to you. Follow these steps:

16a. Fill in the state in which you live. Texas
16b. Fill in the number of people in your household. 3
16c. Fill in the median family income for your state and size of household..... **\$64,894.00**
To find a list of applicable median income amounts, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.

17. How do the lines compare?

- 17a. ☒ Line 15b is less than or equal to line 16c. On the top of page 1 of this form, check box 1, *Disposable income is not determined under 11 U.S.C. § 1325(b)(3)*. Go to Part 3. Do NOT fill out Calculation of Your Disposable Income (Official Form 122C-2).
17b. ☐ Line 15b is more than line 16c. On the top of page 1 of this form, check box 2, *Disposable income is determined under 11 U.S.C. § 1325(b)(3)*. Go to Part 3 and fill out Calculation of Your Disposable Income (Official Form 122C-2). On line 39 of that form, copy your current monthly income from line 14 above.

Part 3: Calculate Your Commitment Period Under 11 U.S.C. § 1325(b)(4)

18. Copy your total average monthly income from line 11. **\$2,400.58**
19. Deduct the marital adjustment if it applies. If you are married, your spouse is not filing with you, and you contend that calculating the commitment period under 11 U.S.C. § 1325(b)(4) allows you to deduct part of your spouse's income, copy the amount from line 13.
19a. If the marital adjustment does not apply, fill in 0 on line 19a. **\$0.00**
19b. Subtract line 19a from line 18. **\$2,400.58**

20. Calculate your current monthly income for the year. Follow these steps:

20a. Copy line 19b **\$2,400.58**
Multiply by 12 (the number of months in a year). X 12
20b. The result is your current monthly income for the year for this part of the form. **\$28,806.96**
20c. Copy the median family income for your state and size of household from line 16c. **\$64,894.00**

21. How do the lines compare?

- ☒ Line 20b is less than line 20c. Unless otherwise ordered by the court, on the top of page 1 of this form, check box 3, *The commitment period is 3 years*. Go to Part 4.
☐ Line 20b is more than or equal to line 20c. Unless otherwise ordered by the court, on the top of page 1 of this form, check box 4, *The commitment period is 5 years*. Go to Part 4.

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 4: Sign Below

By signing here, under penalty of perjury I declare that the information on this statement and in any attachments is true and correct.

X

James E. Banks
James Earl Banks, Debtor 1

X

Marilyn Lorraine Banks
Marilyn Lorraine Banks, Debtor 2

Date

03/01/2017
MM/DD/YYYY

Date

03/01/2017
MM/DD/YYYY

If you checked 17a, do NOT fill out or file Form 122C-2.

If you checked 17b, fill out Form 122C-2 and file it with this form. On line 39 of that form, copy your current monthly income from line 14 above.

Debtor 1 **James Earl Banks**

Debtor 2 **Marilyn Lorraine Banks**

Case number (if known) **17-50317**

5. Net income from operating a business, profession, or farm (details):

Debtor 1 / Debtor 2	Description (if available)	Average Monthly Amount
<u>Debtor 2</u>	<u>Charlies Bar</u>	
Gross receipts (before all deductions)		\$2,411.58
Ordinary and necessary operating expenses		\$3,896.33
Net monthly income from a business, profession, or farm		(\$1,484.75)
<u>Debtor 1</u>	<u>JEBCO</u>	
Gross receipts (before all deductions)		\$10,102.00
Ordinary and necessary operating expenses		\$7,768.67
Net monthly income from a business, profession, or farm		\$2,333.33

Fill in this information to identify your case:			
Debtor 1	James	Earl	Banks
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	Marilyn	Lorraine	Banks
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS			
Case number (if known)	17-50317		

☐ Check if this is an amended filing

Official Form 106Sum

Summary of Your Assets and Liabilities and Certain Statistical Information

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new Summary and check the box at the top of this page.

Part 1: Summarize Your Assets

	Your assets Value of what you own
1. <i>Schedule A/B: Property</i> (Official Form 106A/B)	
1a. Copy line 55, Total real estate, from Schedule A/B.....	<u>\$172,360.00</u>
1b. Copy line 62, Total personal property, from Schedule A/B.....	<u>\$64,971.47</u>
1c. Copy line 63, Total of all property on Schedule A/B.....	<u>\$237,331.47</u>

Part 2: Summarize Your Liabilities

	Your liabilities Amount you owe
2. <i>Schedule D: Creditors Who Have Claims Secured by Property</i> (Official Form 106D)	
2a. Copy the total you listed in Column A, Amount of claim, at the bottom of the last page of Part 1 of Schedule D....	<u>\$106,212.83</u>
3. <i>Schedule E/F: Creditors Who Have Unsecured Claims</i> (Official Form 106E/F)	
3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of Schedule E/F.....	<u>\$2,000.00</u>
3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of Schedule E/F.....	<u>+\$6,296.00</u>
Your total liabilities	<u>\$114,508.83</u>

Part 3: Summarize Your Income and Expenses

4. <i>Schedule I: Your Income</i> (Official Form 106I)	
Copy your combined monthly income from line 12 of Schedule I.....	<u>\$4,536.03</u>
5. <i>Schedule J: Your Expenses</i> (Official Form 106J)	
Copy your monthly expenses from line 22c of Schedule J.....	<u>\$3,846.03</u>

Debtor 1 James Earl Banks
Debtor 2 Marilyn Lorraine Banks

Case number (if known) 17-50317

Part 4: Answer These Questions for Administrative and Statistical Records

6. Are you filing for bankruptcy under Chapters 7, 11, or 13?

- ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
☒ Yes

7. What kind of debt do you have?

- ☐ Your debts are primarily consumer debts. *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
☒ Your debts are not primarily consumer debts. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

8. From the *Statement of Your Current Monthly Income*: Copy your total current monthly income from Official Form 122A-1 Line 11; OR, Form 122B Line 11; OR, Form 122C-1 Line 14.

9. Copy the following special categories of claims from Part 4, line 6 of *Schedule E/F*:

Total claim

From Part 4 on *Schedule E/F*, copy the following:

9a. Domestic support obligations. (Copy line 6a.)

9b. Taxes and certain other debts you owe the government. (Copy line 6b.)

9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)

9d. Student loans. (Copy line 6f.)

9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)

9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)

+

9g. **Total.** Add lines 9a through 9f.